

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

SHAW-NAE DIXON, THOMAS CASATELLI,
JEANETTE RIVERA, NATALIA
YAKUBOVA, CHRIS KING, ALISON
MARCHESE, on behalf of AM, JM, and MMV
(her minor children), WILLIAM MORRIS, ,
GEORGE KABBEZ, MARY JOSEPHINE
GENEROSO, SHAW-NAE'S HOUSE, LLC,
SALTY DOG RESTAURANT, LTD, PER
TAVERN CORP. d/b/a THE KETTLE BLACK,
and CARGOSTORK PARTIES, INC. d/b/a DO
ME A FAVOR, INDEPENDENT
RESTAURANT OWNERS ASSOCIATION
RESCUE, INC.,

Plaintiffs,

v.

BILL DE BLASIO, in his official capacity as
Mayor of the City of New York, AND THE
CITY OF NEW YORK,

Defendants.

Civil Action No. 1:21-cv-05090-BMC

**REPLY DECLARATION OF RONALD
A. BERUTTI IN FURTHER SUPPORT
OF PLAINTIFFS' ORDER TO SHOW
CAUSE WITH TEMPORARY
RESTRAINTS AND OTHER RELIEF**

RONALD A. BERUTTI, of full age, hereby declares the following under penalty of perjury:

1. I am a Member of the Weiner Law Group LLP, attorneys for the plaintiffs herein. I am fully familiar with the facts. I make this Declaration in Further Support of the Plaintiffs' Order to Show Cause Seeking Temporary Restraints and Other Relief.
2. Attached hereto as **Exhibit A** is a Food & Drug Administration ("FDA") approval letter for Comirnaty, dated August 23, 2021.
3. Attached hereto as **Exhibit B** is a "Fact Sheet for Healthcare Providers Administering Vaccine, revised as of 22 September 2021.
4. Attached hereto as **Exhibit C** is the "Purple Book Database of Licensed Biological Products" related to Comirnaty.

5. Attached hereto as **Exhibit D** is a Pfizer document concerning the eventual availability of Comirnaty.

6. Attached hereto as **Exhibit E** is a Centers for Disease Control (“CDC”) document titled, “When You’ve Been Fully Vaccinated”.

7. Attached hereto as **Exhibit F** is a New York City Health Department (“NYC Health”) document reflecting the latest data on COVID-19 cases.

8. Attached hereto as **Exhibit G** is a NYC Health document reflecting the latest official vaccination data as of October 5, 2021.

9. Attached hereto as **Exhibit H** is a CDC document, updated October 6, 2021, titled “Selected Adverse Events Reported after COVID-19 Vaccination”.

10. Attached hereto as **Exhibit I** is a complete copy of a study titled “Necessity of COVID-19 vaccination in previously infected individuals”, dated June 1, 2021.

11. Attached hereto as **Exhibit J** is a CDC document titled “Science Brief: COVID-19 Vaccines and Vaccination,” updated September 15, 2021, relied on by defendants.

12. Attached hereto as **Exhibit K** is complete copy of a CDC document relied on by defendants.

13. Attached hereto as **Exhibit L** is copy of a CDC document, dated August 6, 2021, relied on by defendants.

14. Attached hereto as **Exhibit M** is are graphs published by the New York Times, updated October 6, 2021, “Tracking Coronavirus in New York: Latest Map and Case Count”.

15. Attached hereto as **Exhibit N** is a complete copy of the decision in IROAR v. De Blasio, Supreme Court of the State of New York, County of Richmond, Index No. 85155/2021, dated September 10, 2021.

I hereby declare the foregoing to be true and correct based on my personal knowledge under penalty of perjury under the laws of the United States of America.


Ronald A. Berutti

Dated: October 8, 2021

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